

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 AURORE SIMS,

Case No. 2:24-cv-00831-CDS-EJY

4 Plaintiff,

5 v.

ORDER

6 ASSIA SOUILY-LEFAVE; AROUND VEGAS,
7 LLC-1 DAY IN LAS VEGAS,

8 Defendants.

9 On January 30, 2025, the Court entered an Order addressing Defendant Around Vegas, LLC-
10 1's ("Around Vegas") Motion to Dismiss (ECF No. 24) and Amended Motion to Dismiss (ECF No.
11 64). ECF No. 98. The Court struck the Amended Motion to Dismiss because it was filed without
12 leave of the Court in violation of Local Rule 7-2(g). *Id.* The Court also struck the original Motion
13 to Dismiss (ECF No. 24) because it was unclear how Defendant sought to proceed. *Id.* The Court
14 entered an Order instructing the parties as follows:

15 Around Vegas is granted leave to re-file its motion to dismiss as one document and
16 may include the information presented in the "Amended Motion to Dismiss" in the
17 new filing. Around Vegas may not use this new motion to add new arguments, or
18 to add facts or information not already present in the original motion to dismiss and
the "Amended Motion to Dismiss." Around Vegas must file this new motion by
February 13, 2025. Sims should not take any action or file a new response.

19 *Id.* at 3.

20 Despite the plain language of the Court's Order, making clear that Plaintiff should not treat
21 the Order as an opportunity to take any action or file a new response, Plaintiff filed two motions.
22 The first motion seeks to file a corrected amended opposition to the Motion to Dismiss (ECF No.
23 104). In her second motion, Plaintiff seeks permission to file her already pending Amended
24 Opposition to Around Vegas' Motion to Dismiss (ECF No. 79) that exceeded the page limit allowed
25 by local rule.

26 The Motion to file a corrected amended opposition (ECF No. 104) is in violation of the
27 Court's January 30, 2025 Order. Specifically, Plaintiff's Motion at ECF No. 104 seeks to file a new

1 opposition to the Around Vegas' Motion to Dismiss in contravention of the Court's instructions.
2 Thus, this Motion is denied.

3 The Motion seeking leave to file the already pending 40 page Opposition to Around Vegas'
4 Motion to Dismiss pertains to Plaintiff's October 2024 filing at ECF No. 79. Denying Plaintiff's
5 request with respect to her October 2024 Opposition would require Plaintiff to file a new opposition,
6 thus prompting a new reply. The Court finds such a result inefficient and contrary to the purpose of
7 the January 30, 2025 Order—that is, to prevent new filings regarding the Around Vegas' pending
8 Motion to Dismiss.

9 Accordingly, and based on the foregoing, IT IS HEREBY ORDERED that Plaintiff's Motion
10 for Leave to File Corrected Amended Opposition (ECF No. 104), filed on February 2, 2025, is
11 DENIED.

12 IT IS FURTHER ORDERED that Plaintiff's Motion for Leave to Exceed Page Limits for
13 Amended Opposition (ECF No. 105), pertaining to Plaintiff's October 2024 Opposition to Around
14 Vegas' Motion to Dismiss, is GRANTED.

15 DATED this 14th day of April, 2025.

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17 ELAYNA J. YOUCHAH
18 UNITED STATES MAGISTRATE JUDGE
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